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October 28, 2008

Ms. Marlene H. Dortch  
Secretary to the  
Federal Communications Commission  
Washington, D.C. 20554

Re: *Ex Parte* Presentation-Universal Service Assessment- Automotive  
Telematics- CC Docket Nos. 96-45, WC Docket No. 06-122

Dear Ms. Dortch:

On October 28, 2008, Gregory L. Rohde of e-Copernicus, representing the ATX Group, had a phone conversation with Mr. Scott Deutchman, Legal Advisor to the Honorable Michael J. Copps. The conversation addressed assessment proposals being considered by the Commission with regard to the Universal Service Fund (USF).

During the conversation, Mr. Rohde reiterated the position of ATX that any proposal to assess each vehicle phone number a monthly fee of \$1.00 would inhibit emergency response communications systems. Mr. Rohde emphasized the confined and limited use of the network by automotive telematics which any assessment model must recognize and the vital public safety element the service provides.

ATX is now rolling out service to manufacturers that intend to offer the service across their entire fleet. The astronomical additional USF assessment, in the millions of dollars per month could choke off this expansion. The result will be that automobile manufacturers' efforts to expedite emergency response could be halted by the Commission's decision and seriously hinder the development of in-vehicle telematics services in the United States. The important public safety contribution telematics equipped vehicles make could be lost, thereby diminishing efforts to provide ubiquitous location-based emergency call response across the nation.

Mr. Rohde also stressed that Section 254 of the Communications Act requires the USF assessment structure to be equitable. The Commission's proposal to impose a fixed monthly fee on emergency services that have very low volume use and therefore experience a dramatic increase in USF assessments violates the statute's equitability requirements.

Respectfully,

A handwritten signature in blue ink, appearing to read "J. E. Logans", with a long horizontal flourish extending to the right.

Copy to:

Mr. Scott Deutchman, Legal Advisor to the Honorable Michael J. Copps